

CHAPTER: 900

Inmate Programs and Services

DEPARTMENT ORDER:

**919 – Inmate Resource Center/Library
Services**

**OFFICE OF PRIMARY
RESPONSIBILITY:**

IP&R

Effective Date:

June 10, 2021

Amendment:

N/A

Supersedes:

DO 919 (3/9/17)

Scheduled Review Date:

October 1, 2023

ACCESS

Contains Restricted Section(s)

**Arizona
Department
of
Corrections
Rehabilitation
and Reentry**



Department Order Manual

A handwritten signature in black ink, appearing to read "David Shinn", is written over a horizontal line.

David Shinn, Director

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EXPECTED PRACTICES

American Correctional Association (ACA) Expected Practices: 5-ACI-7E-01, 5-ACI-7E-02, 5-ACI-7E-03, 5-ACI-7E-04, 5-ACI-7E-05, 5-ACI-7E-06, and 5-ACI-7E-07

PURPOSE

This Department Order establishes standards and procedures for inmates to have access to the Resource Center/library services. Resource Center/library materials are selected to support the educational, informational, recreational, and program needs of inmates.

APPLICABILITY

This Department Order is applicable to inmates, Resource Center/library staff and other personnel in Department institutions. This Department Order is applicable to private prison Resource Center/library operations and personnel unless otherwise specified by contract.

RESPONSIBILITY

The Education Administrator shall:

- Annually review Resource Center/library collections, and recommend adjustments as needed or as prescribed by the Director, Arizona Revised Statutes (A.R.S.) and/or federal law.
- Ensure Resource Centers/libraries are managed by qualified and trained staff and the operations and services are being performed in accordance with this Department Order. {5-ACI-7E-03}

PROCEDURES

1.0 OPERATIONS

- 1.1 Resource Centers/libraries shall be established, monitored and maintained by qualified and trained Resource Center/library staff assigned to the unit/housing location. {5-ACI-7E-02}
 - 1.1.1 Inmates may be assigned as a Library Clerk or Library Aide in accordance with the requirements listed in Department Order #903, Inmate Work Activities. These assigned inmates shall be trained in library operations by the Librarian/Resource Center Specialist. {5-ACI-7E-07}
- 1.2 Based on available funds, Inmate Store Proceeds (ISP) funds shall be allocated for the purchase of appropriate materials, supplies and equipment to adequately support Resource Center/library services.
- 1.3 Each Resource Center/library shall develop and implement circulation procedures, which shall include at a minimum:
 - 1.3.1 Inmate responsibilities as a borrower and patron
 - 1.3.2 Checkout procedures including time frames, the types of materials available, and the limit of materials, which can be checked out at one time

- 1.3.3 Material renewals and the assessment of fees
- 1.3.4 Reader advisory services to assist inmates in the selection of authors, genres, current reading trends and the locating of current and credible information
- 1.3.5 The promotion of the use of the Resource Center/library, including information on how to conduct research and the location and use of materials
- 1.4 Each Resource Center/library shall have an inter-library loan program with other libraries in the Complex, Department, and/or outside Agencies. {5-ACI-7E-05}

2.0 COLLECTION MANAGEMENT/CATALOGING/COLLECTION DEVELOPMENT {5-ACI-7E-04}

- 2.1 Resource Centers/libraries shall use an established cataloging system to catalog and organize their materials, such as the Dewey Decimal System for non-fiction and author's last name for fiction books.
- 2.2 Resource Center/library materials may be in various formats including print, CD-ROM or other computer software, audio or video.
- 2.3 Resource Center/library materials shall be: {5-ACI-7E-01}
 - 2.3.1 In compliance with Department Order #914, Inmate Mail, and other written instructions.
 - 2.3.2 Consistent with the parameters of the inmate population housed at the respective unit/housing location, including the security level, age, gender, reading-level, and languages read.
 - 2.3.3 Supportive of the various Department programs including the following:
 - 2.3.3.1 Educational programs, in accordance with Department Order #910, Inmate Education
 - 2.3.3.2 Substance Abuse Prevention
 - 2.3.3.3 Transition, Reentry and Pre-Release
 - 2.3.3.4 Work programs
- 2.4 To develop collections of materials and services supporting the various Department programs, Resource Center/library staff shall work with the following:
 - 2.4.1 Department and contract education and substance abuse prevention personnel
 - 2.4.2 Community college instructors
 - 2.4.3 Mental health staff
 - 2.4.4 Other Program staff
 - 2.4.5 The Legal Access Monitor in accordance with Department Order #902, Inmate Legal Access to the Courts

- 2.5 Authorized legal reference texts/manuals, legal supplies and legal forms shall be established, maintained and managed in accordance with Department Order #902, Inmate Legal Access to the Courts.
- 2.6 To suggest the removal or addition of materials to the Resource Center/library collection, inmates and staff shall submit an Inmate Resource Center/Library Material Suggestion, Form 919-1.

3.0 CIRCULATION

- 3.1 Inmates checking out materials or having materials checked out for them from the Resource Center/library shall use their name and/or Arizona Department of Corrections, Rehabilitation and Reentry Inmate Identification Number (ADCRR Number) for documentation and accountability purposes. Inmates shall be responsible for the materials checked out by or for them.
- 3.2 Circulation transactions shall be documented by the Resource Center/library's circulation software, where available, or by an established library book card circulation system.
 - 3.2.1 The circulation records shall document the inmate's name, ADCRR number, the title, and the due date.
 - 3.2.2 Inmates unable to physically attend the Resource Center/library shall: {5-ACI-7E-06}
 - 3.2.2.1 Have circulation transactions documented on an Inmate Date Due Receipt generated by the Resource Center/library's circulation software, where available, or Inmate Resource Center/Library staff shall complete an Inmate Resource Center/Library Material Receipt, Form 919-3, that shall be signed by the inmate when the materials are delivered to his/her housing location.
 - 3.2.2.2 Return materials by placing them in a designated Book Return Box, if available. Inmates who do not have access to a Book Return Box shall ask staff to contact the Resource Center/library so pick up may be scheduled. Resource Center/library staff shall empty the Book Return Box on a regular basis.
 - 3.2.2.3 Complete an Inmate Resource Center/Library Materials Request, Form 919-2, to request materials be delivered to their unit/housing location.
 - 3.2.2.3.1 Completed Inmate Resource Center/Library Materials Request forms may be placed in the Book Return Box or forwarded via the inmate's assigned Correctional Officer III.
- 3.3 Inmates using Resource Center/library materials shall:
 - 3.3.1 Return materials on or before the due date.
 - 3.3.2 Not be permitted to avoid responsibility for the late return or loss of materials checked out to or by them by claiming they were given to Department staff or other inmates to return.

- 3.3.3 If moved to another housing location with Inmate Resource Center/library materials still in their possession, immediately turn them into the Resource Center/library at their new unit/housing location.
 - 3.3.3.1 The Resource Center/library staff at the inmate's new housing location shall:
 - 3.3.3.1.1 Notify the Resource Center/library staff at the previous unit/complex by phone or e-mail that the returned items are en route.
 - 3.3.3.1.2 Ensure the materials are sent back to the previous Resource Center/library.
- 3.4 Reasonable efforts shall be made to ensure all inmates are provided access to Resource Center/library services. {5-ACI-7E-06}
 - 3.4.1 Resource Center/library services, which can include book carts, shall be provided at prime program hours as well at times that do not compete with work assignments, visitation, counseling, or other programs.
 - 3.4.2 Resource Center/library shall be available daily, to include evenings and weekends. The operating hours shall be posted electronically and/or on inmate bulletin boards.
- 3.5 Resource Center/library staff shall ensure:
 - 3.5.1 All inmates checking out materials are informed either in writing or verbally of the Resource Center/library's circulation policy and procedures.
 - 3.5.2 Circulation policy and procedures are clearly posted.
 - 3.5.3 Opportunities for inmates to receive legal resources in accordance with Department Order #902, Inmate Legal Access to the Courts and reading materials are made available at each unit/housing location.

4.0 DAMAGED AND LOST MATERIALS

- 4.1 Resource Center/library staff shall examine returned Resource Center/library materials before the materials are returned to circulation.
 - 4.1.1 If damaged, inmates shall be:
 - 4.1.1.1 Charged either the repair cost or the full replacement cost and/or be restricted from checking out additional materials if the materials are returned damaged beyond repair, as assessed by Resource Center/library staff. Non-repairable materials shall be removed from the Resource Center/library's inventory.
 - 4.1.1.2 Subject to disciplinary action, in accordance with Department Order #803, Inmate Disciplinary Procedure, 09B, Criminal Damage.
- 4.2 Resource Center/library materials shall be considered lost when:

- 4.2.1 Inmates responsible for the materials fail to return them within 30 calendar days of the due date, at which time inmates are susceptible to replacement fees, in accordance with section 5.0.
- 4.2.2 Inmates are released from custody and the materials have not been returned.
- 4.3 Resource Center/library materials found in an inmate's possession after the 30 calendar days shall be considered and treated as contraband and subject the responsible inmate to disciplinary action, in accordance with Department Order #803, Inmate Disciplinary Procedure.
- 4.4 Found materials shall be returned to the Resource Center by the Contraband Control Officer in accordance with Department Order #909, Inmate Property.
- 4.5 Lost materials later returned to Resource Centers/libraries in good condition shall be re-added to the inventory.

5.0 FEES AND NOTICES

- 5.1 Resource Center/library staff shall send out up to three Overdue Notices generated by the circulation software, if available. If the circulation software is unavailable, an Inmate Resource Center/Library Overdue Notice, Form 919-4, shall be completed.
- 5.2 Up to three Overdue Notices shall be generated at least a week apart, which shall include the inmate's name and ADCRR number, author, title and due date of materials.
- 5.3 The third and final Overdue Notice shall include a material replacement fee, which is the cost that will be charged by Resource Center/library staff to replace the material from a Department-approved vendor.
- 5.4 To allow for delays in receiving materials, transferred inmates shall be allowed a two-week grace period before replacement fees is assessed. Resource Center/library staff shall send Overdue Notices directly to the inmates at their current housing location via the Department's internal mail system.
- 5.5 Inmates shall be subject to charges for damaged and lost materials any time after 30 calendar days past the due date, as outlined in section 4.0.
- 5.6 Charges for damaged and lost Resource Center/library materials shall remain at the discretion of Resource Center/library staff.
- 5.7 In accordance with Department Order #905, Inmate Trust Account/Money System, refunds shall be given for the replacement fees of lost materials that are returned to the Resource Center/library undamaged, within six months of the fee's posting date. If the material is damaged or destroyed, no refund shall be given.
- 5.8 If sufficient funds are not available in the inmate's Inmate Trust Account (ITA), the inmate's ITA shall be put on hold, in accordance with Department Order #905, Inmate Trust Account/Money System.
- 5.9 Fees collected for damaged and lost Resource Center/library materials shall be deposited into the ISP fund and allocated for the purchase of appropriate replacement materials.

6.0 DONATIONS

- 6.1 Resource Center/library staff shall comply with Department Order #301, Fiscal Management in accepting or not accepting donations of books and other learning materials.
- 6.2 Books and learning materials shall be reviewed in accordance with Department Order #914, Inmate Mail.
- 6.3 Inmates may choose to donate property to the Resource Center/library. Once it is donated and accepted, it is the property of the Department and shall be used and/or disposed of properly. Materials donated by an inmate shall not be returned to the inmate if they are found to be excluded under Department Order #914, Inmate Mail.

7.0 PHOTOCOPY ACCESS

- 7.1 All photocopy services shall comply with:
 - 7.1.1 Federal copyright laws.
 - 7.1.2 Department Order #909, Inmate Property.
 - 7.1.3 Department Order #902, Inmate Legal Access to the Courts.
 - 7.1.3.1 Qualified and non-qualified legal claim copying shall be completed in accordance with Department Order #902, Inmate Legal Access to the Courts.
 - 7.1.3.2 Non-Legal Photocopies - Inmates shall be charged the current rate per printed side for photocopies.
 - 7.1.3.2.1 Inmates shall have sufficient funds in their ITA to pay for the total cost of non-legal photocopies.
 - 7.1.3.2.2 Inmates shall submit completed Inmate Request for Withdrawal - Internal, Form 905-1, for the cost of the copies for verification of funds available, in accordance with Department Order #905, Inmate Trust Account/ Money System.
- 7.2 Photocopies of educational, substance abuse, life skills and other program-related materials may be made after any pending qualified legal claims photocopying.
- 7.3 Items which cannot be photocopied shall include, but are not limited to:
 - 7.3.1 Documents or materials considered as unauthorized/contraband (i.e., calendars, graphs, drawings, gang insignia or gang-related items, photographs, newsletters or bulletins, or personal correspondence), in accordance with Department Order #914, Inmate Mail.
 - 7.3.1.1 Copies of documents or materials specified above that are to be used in an inmate's pending litigation shall be reviewed by the Contract Paralegal on a case by case basis.

7.3.1.2 The inmate shall provide documentation that the material is needed for litigation. The request shall then be processed in accordance with Department Order #902, Inmate Legal Access to the Courts, as if they were Qualified Legal Claim copies.

7.3.2 Documents or materials on which erasures, correction tape, white-out, or other means have been used to obscure or change content shall be denied.

7.4 Approval of copies of documents or materials not specifically addressed in 7.3.1 of this section shall remain at the discretion of Resource Center/library staff.

7.5 Resource Center/library staff reserves the right to limit the number of copies made of any material.

7.5.1 The quantity of copies made of blank legal forms not specified in Attachment B of Department Order #902, Inmate Access to the Courts shall remain at the discretion of Resource Center/library staff.

7.5.1.1 Any blank legal forms not specified in Attachment B shall be procured by the inmate; they shall not be provided by Resource Center/library staff, regardless of their availability on the internet or elsewhere.

7.6 Wardens/Deputy Wardens may limit or exclude the photocopying of other items not specifically prohibited in this section.

7.7 Inmates attempting to have photocopies made of documents or materials belonging to other inmates and/or attempting to have photocopies made of documents or materials that are contraband shall have their requests for photocopies denied and shall be subject to disciplinary action in accordance with Department Order #803, Inmate Disciplinary Procedure.

8.0 FEDERAL TAX FORMS AND PUBLICATIONS – This section refers to obtaining Federal Tax Forms and Publications only. For State Tax Forms and/or Publications inmates may need to complete, inmates may send a written request to the Arizona Department of Revenue or the Department of Revenue of another state, if applicable.

8.1 Inmate Request

8.1.1 To request specific Federal (Internal Revenue Service) Tax Forms and/or Publications, inmates shall submit a completed Federal Tax Form and Publications – Inmate Request, Form 919-5, to the unit/housing location Resource Center/library staff or a staff member designated by the Warden to receive the completed forms when Resource Center/library staff is not available.

8.1.1.1 Federal Tax Form and Publications – Inmate Request forms shall be handled only by Resource Center/library staff and/or staff Warden-designated by the Warden.

8.1.1.2 Staff, including Resource Center/library staff and Warden-designated staff, shall not under any circumstances provide advice to inmates on what Federal Tax Forms and/or Publications to request, how to fill out the forms, or any other subject regarding inmate tax issues.

8.2 Processing Inmate Requests

8.2.1 Upon receiving Federal Tax Form and Publications – Inmate Request forms, Resource Center/library staff and Warden-designated staff shall:

8.2.1.1 Print the requested Federal Tax Forms and/or Publications from the Internal Revenue website www.irs.gov and write the inmate's name and ADCRR number on Federal Tax Forms and on the first page of the Publications.

8.2.1.2 Log Federal Tax Forms and Publications on the Federal Tax Forms and Publications Log, Form 919-6.

8.2.1.3 Obtain inmate signatures to indicate receipt of Federal Tax Forms and/or Publications.

8.2.1.4 Provide the Federal Tax Forms and/or Publications to the inmate.

8.2.1.4.1 Inmates may retain incomplete Tax Forms labeled with their name on them.

8.2.1.5 Complete an Inmate Request for Withdrawal form to cover the costs of printing the Federal Tax Forms and/or Publications.

8.3 Copies of completed Federal Tax Forms and/or Publications shall be processed in the same manner as non-qualified legal photocopies, in accordance with Department Order #902, Inmate Legal Access to the Courts.

8.4 Inmates with blank Federal Tax Forms and/or Publications in their possession not processed as outlined in this section shall be considered to be in possession of contraband materials.

8.5 Inmates may receive completed or substantially completed Federal Tax Forms sent to them for their review and/or signature by outside family or other sources, in accordance with Department Order #914, Inmate Mail.

8.6 Inmates shall, under staff supervision, review and sign any forms necessary. Upon completion, staff shall place the forms in an envelope with postage supplied by the inmate.

9.0 ADMINISTRATION

9.1 For Department Inmate Resource Centers/libraries: {5-ACI-7E-01}

9.1.1 Each institution/unit Corrections Education Program Supervisor (CEPS) shall collaborate with Resource Center/library staff to prepare a plan and goals for the continuous improvement of Resource Center/library services, which align with a proposal of annual budgetary needs in accordance with the applicable written instructions in their area. The budget shall include, at a minimum, funds for the following areas:

9.1.1.1 Books, software and other Resource Center/library materials

9.1.1.2 Supplies and furnishings

9.1.1.3 Equipment

9.1.2 The Resource Center/library staff shall make purchases through the ISP budget, with the approval of the CEPS, ISP Committee and Warden, and maintain records showing the disbursement and expenditure of the ISP funds. (See Department Order #302, Contracts and Procurement.)

9.2 For Department and private prison Inmate Resource Centers/libraries:

9.2.1 The Education Administrator or designee shall meet:

9.2.1.1 With all Resource Center/library staff as a group, at least two times per calendar year. Minutes of the meetings shall be kept and be made available for review by interested parties.

9.2.1.2 Individually with Resource Center/library staff as needed.

9.2.2 Each institution/unit CEPS shall meet with all assigned Resource Center/library staff as a group at least monthly. Minutes of the meetings shall be kept, forwarded to the Education Administrator, and made available for review by interested parties.

9.2.2.1 Resource Center/library staff may also participate in staff meetings along with teachers, but shall meet with the institution/unit CEPS without teachers.

9.2.3 Each Resource Center/library shall electronically submit the information for the Monthly Statistical Report to the Education Unit. At a minimum, Resource Center/library staff shall provide the monthly data on circulation of materials, inmates served, and inmate legal access to the courts.

DEFINITIONS/GLOSSARY

Refer to the Glossary of Terms for the following:

- Circulated Material
- Circulation Transactions

FORMS LIST

919-1, Inmate Resource Center/Library Material Suggestion
919-2, Inmate Resource Center/Library Materials Request
919-3, Inmate Resource Center/Library Material Receipt
919-4, Inmate Resource Center/Library Overdue Notice
919-5, Federal Tax Form and Publications – Inmate Request
919-6, Federal Tax Forms and Publications Log